

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1146

Introduced by Senator Dunn

January 22, 2004

An act to amend Section 798.25 of the Civil Code, relating to mobilehome parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1146, as amended, Dunn. Mobilehome park rules: amendments.

Existing law provides that when the management of a mobilehome park proposes an amendment to the park's rules and regulations, the management must meet and consult with the homeowners in the park, their representatives, or both, after providing written notice to all of the homeowners 10 days or more before the meeting.

This bill would create an exception from that requirement if the proposed amendment is mandated by *a change in the law, as specified*.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 798.25 of the Civil Code is amended to
2 read:

3 798.25. (a) ~~When~~ *Except as provided in subdivision (d),*
4 *when* the management proposes an amendment to the park's rules
5 and regulations, ~~other than an amendment mandated by law,~~ the
6 management shall meet and consult with the homeowners in the
7 park, their representatives, or both, after written notice has been

1 given to all the homeowners in the park 10 days or more before the
2 meeting. The notice shall set forth the proposed amendment to the
3 park rules and regulations and shall state the date, time, and
4 location of the meeting.

5 ~~(b) Following~~ *Except as provided in subdivision (d), following*
6 *the meeting and consultation with the homeowners, the noticed*
7 *amendment to the park rules and regulations may be implemented,*
8 *as to any homeowner, with the consent of that homeowner, or*
9 *without the homeowner's consent upon written notice of not less*
10 *than six months, except for regulations applicable to recreational*
11 *facilities, which may be amended without homeowner consent*
12 *upon written notice of not less than 60 days.*

13 (c) Written notice to a homeowner whose tenancy commences
14 within the required period of notice of a proposed amendment to
15 the park's rules and regulations under subdivision (b) *or (d)* shall
16 constitute compliance with this section where the written notice is
17 given before the inception of the tenancy.

18 (d) *When the management proposes an amendment to the*
19 *park's rules and regulations mandated by a change in the law,*
20 *including, but not limited to, a change in a statute, ordinance, or*
21 *governmental regulation, the management may implement the*
22 *amendment to the park rules and regulations, as to any*
23 *homeowner, with the consent of that homeowner, or without the*
24 *homeowner's consent upon written notice of not less than 60 days.*
25 *For purposes of this subdivision, the management shall specify in*
26 *the notice a citation to the statute, ordinance, or regulation,*
27 *including the section number, which necessitates the proposed*
28 *amendment to the park's rules and regulations.*

29 (e) Any amendment to the park's rules and regulations that
30 creates a new fee payable by the homeowner and that has not been
31 expressly agreed upon by the homeowner and management in the
32 written rental agreement or lease, shall be void and unenforceable.

